

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CUMMINGS,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 1:22-1118
	:	
v.	:	(MANNION, D.J.)
	:	(CARLSON, M.J.)
	:	
R. KRAMER, <i>et al.</i> ,	:	
	:	
Defendants	:	

ORDER

In accordance with this court's Memorandum issued this same day, IT

IS HEREBY ORDERED THAT:

1. The September 7, 2022 report of Magistrate Judge Carlson,

(Doc. 6), is **ADOPTED IN ITS ENTIRETY**.
2. The defendants' motion to dismiss, (Doc. 6), is **GRANTED, IN PART**, and **DENIED, IN PART**.
3. All of the claims in the plaintiff's complaint, (Doc. 1-1), are

DISMISSED WITHOUT PREJUDICE, except for the 8th

Amendment claim against defendant Lawton specified in the report, which will proceed.

4. The plaintiff is **GRANTED** leave to file one amended complaint that conforms to Judge Carlson's directives upon remand of this case.
5. The clerk of court is directed to **REMAND** this case to Judge Carlson for further proceedings consistent with this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: September 29, 2022

22-1118-01-Order